

REMARKS/ARGUMENTS

Claims 1-45 and 49-65 are canceled.

Claims 46-48, 66-67, 69-73, 75-79, 81-82 are amended.

Claims 46-48 and 66-82 are pending.

Main Claim 46

#1 Definition of Communication Device

Main claim 46 was rejected over Park.

In order to distinguish the instant invention from Park, main claim 46 is amended so as to clearly state that the communication device is a portable device which is operable to implement voice communication.

Here, the communication device must be a portable device. Therefore, by its definition, a device which is not portable, i.e., a device which can not be carried by a human being, is not a communication device.

In addition, the communication device must be operable to implement voice communication device. Therefore, by its definition, a device which can not send and/or receive voice data for voice communication purposes is not a communication device.

A typical example of the communication device is a mobile phone.

In Park, “(t)he subscriber can instruct the MS 210 or RIU 220 or 230 to cause the PIU (240, 220 or 250) to perform a variety of different functions” (Park col 3 lines 36-38).

However, the functions which are performed by the subscriber's instruction disclosed in Park are limited to the ones pertaining to automobile, such as “activating/deactivating the car alarm, turning on/off the head lights, locking/unlocking the car doors, starting the engine and turning on the heater/air conditioning, disabling the engine, which can be

especially useful if the car has been stolen, or flashing the headlights and/or blowing the horn, which can be useful if the car is parked in a large parking lot" (Park col 3 lines 39-45).

By amending main claim 46, the functions which are performed by the user's instruction are all directed to the communication device which is a portable device operable to implement voice communication, where the typical example thereof is a mobile phone. Park's disclosure is limited to remotely controlling an automobile, whereas the instant invention is directed to remotely controlling a mobile phone, for example, and because both technology pertain to different technical fields, Park can not be prior art of the instant invention of which the scope is limited by this amendment.

#2 Communication Device Controlled Notice

As described in the text of main claim 46, when the communication device is remotely controlled via the user instruction entered by the phone, a communication device controlled notice which corresponds to the user instruction is output from the phone. Park merely discloses as described hereinbefore the method to remotely control an automobile and is totally silent as to the communication device controlled notice depicted in main claim 46.

For all of the foregoing reasons, main claim 46 is patentable over Park.

Main Claim 47

#1 Definition of Communication Device

Main claim 47 was rejected over Park.

In order to distinguish the instant invention from Park, main claim 47 is amended so as to clearly state that the communication device is a portable device which is operable to

implement voice communication.

Here, the communication device must be a portable device. Therefore, by its definition, a device which is not portable, i.e., a device which can not be carried by a human being, is not a communication device.

In addition, the communication device must be operable to implement voice communication device. Therefore, by its definition, a device which can not send and/or receive voice data for voice communication purposes is not a communication device.

A typical example of the communication device is a mobile phone.

In Park, “(t)he subscriber can instruct the MS 210 or RIU 220 or 230 to cause the PIU (240, 220 or 250) to perform a variety of different functions” (Park col 3 lines 36-38).

However, the functions which are performed by the subscriber's instruction disclosed in Park are limited to the ones pertaining to automobile, such as “activating/deactivating the car alarm, turning on/off the head lights, locking/unlocking the car doors, starting the engine and turning on the heater/air conditioning, disabling the engine, which can be especially useful if the car has been stolen, or flashing the headlights and/or blowing the horn, which can be useful if the car is parked in a large parking lot” (Park col 3 lines 39-45).

By amending main claim 47, the functions which are performed by the user's instruction are all directed to the communication device which is a portable device operable to implement voice communication, where the typical example thereof is a mobile phone. Park's disclosure is limited to remotely controlling an automobile, whereas the instant invention is directed to remotely controlling a mobile phone, for example, and because both technology pertain to different technical fields, Park can not be prior art of the instant invention of which the scope is limited by this amendment.

#2 Communication Device Controlled Notice

As described in the text of main claim 47, when the communication device is remotely controlled via the user instruction entered via the Internet, a communication device controlled notice which corresponds to the user instruction is output via the Internet. Park merely discloses as described hereinbefore the method to remotely control an automobile and is totally silent as to the communication device controlled notice depicted in main claim 47.

#3 Remotely Controlling Communication Device Via Internet

Main claim 47 was further rejected over Kolls.

Kolls discloses that a wireless phone 312 can communicate with an in-vehicle device 200 via an Internet appliance 322 (Kolls col 10 lines 45-53). However, Kolls does not disclose more than the wireless phone 312 collecting data regarding the vehicle 314 via the in-vehicle device 200, and is totally silent as to the subject matter of the instant invention depicted in main claim 47, i.e., remote controlling the communication device (e.g., mobile phone) via the Internet.

Because Park, Kolls, or combination thereof does not disclose the foregoing limitations, main claim 47 is patentable over Park and Kolls.

Main Claim 48

#1 Definition of Communication Device

Main claim 48 was rejected over Park.

In order to distinguish the instant invention from Park, main claim 48 is amended so as to clearly state that the communication device is a portable device which is operable to implement voice communication.

Here, the communication device must be a portable device. Therefore, by its definition, a

device which is not portable, i.e., a device which can not be carried by a human being, is not a communication device.

In addition, the communication device must be operable to implement voice communication device. Therefore, by its definition, a device which can not send and/or receive voice data for voice communication purposes is not a communication device. A typical example of the communication device is a mobile phone.

In Park, “(t)he subscriber can instruct the MS 210 or RIU 220 or 230 to cause the PIU (240, 220 or 250) to perform a variety of different functions” (Park col 3 lines 36-38). However, the functions which are performed by the subscriber’s instruction disclosed in Park are limited to the ones pertaining to automobile, such as “activating/deactivating the car alarm, turning on/off the head lights, locking/unlocking the car doors, starting the engine and turning on the heater/air conditioning, disabling the engine, which can be especially useful if the car has been stolen, or flashing the headlights and/or blowing the horn, which can be useful if the car is parked in a large parking lot” (Park col 3 lines 39-45).

By amending main claim 48, the functions which are performed by the user’s instruction are all directed to the communication device which is a portable device operable to implement voice communication, where the typical example thereof is a mobile phone. Park’s disclosure is limited to remotely controlling an automobile, whereas the instant invention is directed to remotely controlling a mobile phone, for example, and because both technology pertain to different technical fields, Park can not be prior art of the instant invention of which the scope is limited by this amendment.

#2 Communication Device Controlled Notice

As described in the text of main claim 48, when the communication device is remotely

controlled via the user instruction entered by the phone or via the Internet, a communication device controlled notice which corresponds to the user instruction is output from the phone or via the Internet.

Park merely discloses as described hereinbefore the method to remotely control an automobile and is totally silent as to the communication device controlled notice depicted in main claim 48.

For all of the foregoing reasons, main claim 48 is patentable over Park.

Sub-Claims 66-82

Sub-claims 66-82 are patentable because main claims 46-48 on which the sub-claims are dependent are patentable.

Sub-claims 66-82 are further patentable because of the limitations explained below:

Sub-claim 66, which is further limited by this amendment, includes two limitations in addition to main claim 46.

The first limitation is that the user instruction indicates to deactivate the silent mode of the communication device. Here, an explanation of the silent mode is added by this amendment to distinguish from Park, wherein a vibrator is activated in lieu of outputting an audio upon receiving a phone call when the silent mode is activated.

Park's disclosure is limited to the functionalities of an automobile and is totally silent as to the remote deactivation of the silent mode, wherein a vibrator is activated in lieu of outputting an audio upon receiving a phone call when the silent mode is activated.

The second limitation is that the communication device controlled notice is output and this notice indicates that the silent mode is deactivated. Park does not disclose in any way of outputting a notice indicating that the silent mode is deactivated. Besides Park does not disclose in the first place to output the result/outcome of the remote instruction.

Therefore, sub-claim 66 is patentable over Park.

Sub-claim 67, which is further limited by this amendment, includes two limitations in addition to main claim 46.

The first limitation is that the communication device which outputs audio data is a “mobile phone” as amended by this amendment. Park discloses that an automobile can blow the horn (Park col 3 line 44), however is silent as to outputting audio data from a mobile phone. Here, a mobile phone pertains to a technical field different from automobile, therefore this limitation is patentable over Park.

The second limitation is that the communication device controlled notice is output and this notice indicates that audio data is output from the speaker. Park does not disclose in any why of outputting a notice indicating that audio data is output from the speaker. Besides Park does not disclose in the first place to output the result/outcome of the remote instruction.

Therefore, sub-claim 67 is patentable over Park.

Sub-claim 68 includes two limitations in addition to main claim 46.

The first limitation is that the user instruction indicates to change password pertaining to the communication device. Huang discloses a common authentication process to control a vehicle by entering user ID and password (Huang para [0091]), however, does not disclose in any way that the “password” pertaining to the communication device (e.g., mobile phone) can be changed in a remote fashion. Huang’s disclosure is limited to entering user ID and password for authenticating the user to control the vehicle.

The second limitation is that the communication device controlled notice is output and this notice indicates that the password pertaining to the communication device is changed. Huang does not disclose in any why of outputting a notice indicating that the password pertaining to the communication device is changed. Besides Huang does not

disclose in the first place to output the result/outcome of the remote instruction.

Therefore, sub-claim 68 is patentable over Huang.

Sub-claim 69, which is further limited by this amendment, includes two limitations in addition to main claim 46.

The first limitation is that the communication device which the user instruction indicates to lock is a “mobile phone” as amended by this amendment. Park discloses that an automobile can be remotely locked (Park col 3 line 40), however is silent as to locking a mobile phone in a remote fashion. Here, a mobile phone pertains to a technical field different from automobile, therefore this limitation is patentable over Park.

The second limitation is that the communication device controlled notice is output and this notice indicates that the communication device is locked. Park does not disclose in any why of outputting a notice indicating that the communication device is locked.

Besides Park does not disclose in the first place to output the result/outcome of the remote instruction.

Therefore, sub-claim 69 is patentable over Park.

Sub-claim 70, which is further limited by this amendment, includes two limitations in addition to main claim 46.

The first limitation is that the communication device which the user instruction indicates to power off is a “mobile phone” as amended by this amendment. Park discloses that an automobile engine can be remotely disabled (Park col 3 line 42), however is silent as to powering off a mobile phone in a remote fashion. Here, a mobile phone pertains to a technical field different from automobile, therefore this limitation is patentable over Park.

The second limitation is that the communication device controlled notice is output and this notice indicates that the communication device is powered off. Park does not disclose in any why of outputting a notice indicating that the communication device is

powered off. Besides Park does not disclose in the first place to output the result/outcome of the remote instruction.

Therefore, sub-claim 70 is patentable over Park.

Sub-claim 71, which is further limited by this amendment, includes two limitations in addition to main claim 47.

The first limitation is that the user instruction indicates to deactivate the silent mode of the communication device. Here, an explanation of the silent mode is added by this amendment to distinguish from Park, wherein a vibrator is activated in lieu of outputting an audio upon receiving a phone call when the silent mode is activated.

Park's disclosure is limited to the functionalities of an automobile and is totally silent as to the remote deactivation of the silent mode, wherein a vibrator is activated in lieu of outputting an audio upon receiving a phone call when the silent mode is activated.

The second limitation is that the communication device controlled notice is output and this notice indicates that the silent mode is deactivated. Park does not disclose in any way of outputting a notice indicating that the silent mode is deactivated. Besides Park does not disclose in the first place to output the result/outcome of the remote instruction.

Therefore, sub-claim 71 is patentable over Park.

Sub-claim 72, which is further limited by this amendment, includes four limitations in addition to main claim 47.

The first limitation is that the user instruction indicates to deactivate the silent mode of the communication device. Here, an explanation of the silent mode is added by this amendment to distinguish from Park, wherein a vibrator is activated in lieu of outputting an audio upon receiving a phone call when the silent mode is activated.

Park's disclosure is limited to the functionalities of an automobile and is totally silent as to the remote deactivation of the silent mode, wherein a vibrator is activated in lieu of

outputting an audio upon receiving a phone call when the silent mode is activated.

The second limitation is that the communication device controlled notice is output and this notice indicates that the silent mode is deactivated. Park does not disclose in any way of outputting a notice indicating that the silent mode is deactivated. Besides Park does not disclose in the first place to output the result/outcome of the remote instruction.

The third limitation is that the user instruction indicates to output audio data from the speaker in addition to deactivating the silent mode. This limitation is totally foreign to Park.

The fourth limitation is that the communication device controlled notice indicates that audio data is output from the speaker in addition to indicating that the silent mode is deactivated. This limitation is totally foreign to Park.

Therefore, sub-claim 72 is patentable over Park.

Sub-claim 73, which is further limited by this amendment, includes two limitations in addition to main claim 47.

The first limitation is that the communication device which outputs audio data is a "mobile phone" as amended by this amendment. Park discloses that an automobile can blow the horn (Park col 3 line 44), however is silent as to outputting audio data from a mobile phone. Here, a mobile phone pertains to a technical field different from automobile, therefore this limitation is patentable over Park.

The second limitation is that the communication device controlled notice is output and this notice indicates that audio data is output from the speaker. Park does not disclose in any way of outputting a notice indicating that audio data is output from the speaker. Besides Park does not disclose in the first place to output the result/outcome of the remote instruction.

Therefore, sub-claim 73 is patentable over Park.

Sub-claim 74 includes two limitations in addition to main claim 47.

The first limitation is that the user instruction indicates to change password pertaining to the communication device. Huang discloses a common authentication process to control a vehicle by entering user ID and password (Huang para [0091]), however, does not disclose in any way that the "password" pertaining to the communication device (e.g., mobile phone) can be changed in a remote fashion. Huang's disclosure is limited to entering user ID and password for authenticating the user to control the vehicle.

The second limitation is that the communication device controlled notice is output and this notice indicates that the password pertaining to the communication device is changed. Huang does not disclose in any why of outputting a notice indicating that the password pertaining to the communication device is changed. Besides Huang does not disclose in the first place to output the result/outcome of the remote instruction.

Therefore, sub-claim 74 is patentable over Huang.

Sub-claim 75, which is further limited by this amendment, includes two limitations in addition to main claim 47.

The first limitation is that the communication device which the user instruction indicates to lock is a "mobile phone" as amended by this amendment. Park discloses that an automobile can be remotely locked (Park col 3 line 40), however is silent as to locking a mobile phone in a remote fashion. Here, a mobile phone pertains to a technical field different from automobile, therefore this limitation is patentable over Park.

The second limitation is that the communication device controlled notice is output and this notice indicates that the communication device is locked. Park does not disclose in any why of outputting a notice indicating that the communication device is locked.

Besides Park does not disclose in the first place to output the result/outcome of the remote instruction.

Therefore, sub-claim 75 is patentable over Park.

Sub-claim 76, which is further limited by this amendment, includes two limitations in addition to main claim 47.

The first limitation is that the communication device which the user instruction indicates to power off is a "mobile phone" as amended by this amendment. Park discloses that an automobile engine can be remotely disabled (Park col 3 line 42), however is silent as to powering off a mobile phone in a remote fashion. Here, a mobile phone pertains to a technical field different from automobile, therefore this limitation is patentable over Park. The second limitation is that the communication device controlled notice is output and this notice indicates that the communication device is powered off. Park does not disclose in any why of outputting a notice indicating that the communication device is powered off. Besides Park does not disclose in the first place to output the result/outcome of the remote instruction.

Therefore, sub-claim 76 is patentable over Park.

Sub-claim 77, which is further limited by this amendment, includes two limitations in addition to main claim 48.

The first limitation is that the user instruction indicates to deactivate the silent mode of the communication device. Here, an explanation of the silent mode is added by this amendment to distinguish from Park, wherein a vibrator is activated in lieu of outputting an audio upon receiving a phone call when the silent mode is activated.

Park's disclosure is limited to the functionalities of an automobile and is totally silent as to the remote deactivation of the silent mode, wherein a vibrator is activated in lieu of outputting an audio upon receiving a phone call when the silent mode is activated.

The second limitation is that the communication device controlled notice is output and this notice indicates that the silent mode is deactivated. Park does not disclose in any way of outputting a notice indicating that the silent mode is deactivated. Besides Park

does not disclose in the first place to output the result/outcome of the remote instruction. Therefore, sub-claim 77 is patentable over Park.

Sub-claim 78, which is further limited by this amendment, includes four limitations in addition to main claim 48.

The first limitation is that the user instruction indicates to deactivate the silent mode of the communication device. Here, an explanation of the silent mode is added by this amendment to distinguish from Park, wherein a vibrator is activated in lieu of outputting an audio upon receiving a phone call when the silent mode is activated.

Park's disclosure is limited to the functionalities of an automobile and is totally silent as to the remote deactivation of the silent mode, wherein a vibrator is activated in lieu of outputting an audio upon receiving a phone call when the silent mode is activated.

The second limitation is that the communication device controlled notice is output and this notice indicates that the silent mode is deactivated. Park does not disclose in any way of outputting a notice indicating that the silent mode is deactivated. Besides Park does not disclose in the first place to output the result/outcome of the remote instruction.

The third limitation is that the user instruction indicates to output audio data from the speaker in addition to deactivating the silent mode. This limitation is totally foreign to Park.

The fourth limitation is that the communication device controlled notice indicates that audio data is output from the speaker in addition to indicating that the silent mode is deactivated. This limitation is totally foreign to Park.

Therefore, sub-claim 78 is patentable over Park.

Sub-claim 79, which is further limited by this amendment, includes two limitations in addition to main claim 48.

The first limitation is that the communication device which outputs audio data is a

"mobile phone" as amended by this amendment. Park discloses that an automobile can blow the horn (Park col 3 line 44), however is silent as to outputting audio data from a mobile phone. Here, a mobile phone pertains to a technical field different from automobile, therefore this limitation is patentable over Park.

The second limitation is that the communication device controlled notice is output and this notice indicates that audio data is output from the speaker. Park does not disclose in any why of outputting a notice indicating that audio data is output from the speaker. Besides Park does not disclose in the first place to output the result/outcome of the remote instruction.

Therefore, sub-claim 79 is patentable over Park.

Sub-claim 80 includes two limitations in addition to main claim 48.

The first limitation is that the user instruction indicates to change password pertaining to the communication device. Huang discloses a common authentication process to control a vehicle by entering user ID and password (Huang para [0091]), however, does not disclose in any way that the "password" pertaining to the communication device (e.g., mobile phone) can be changed in a remote fashion. Huang's disclosure is limited to entering user ID and password for authenticating the user to control the vehicle.

The second limitation is that the communication device controlled notice is output and this notice indicates that the password pertaining to the communication device is changed. Huang does not disclose in any why of outputting a notice indicating that the password pertaining to the communication device is changed. Besides Huang does not disclose in the first place to output the result/outcome of the remote instruction.

Therefore, sub-claim 80 is patentable over Huang.

Sub-claim 81, which is further limited by this amendment, includes two limitations in addition to main claim 48.

The first limitation is that the communication device which the user instruction indicates to lock is a "mobile phone" as amended by this amendment. Park discloses that an automobile can be remotely locked (Park col 3 line 40), however is silent as to locking a mobile phone in a remote fashion. Here, a mobile phone pertains to a technical field different from automobile, therefore this limitation is patentable over Park.

The second limitation is that the communication device controlled notice is output and this notice indicates that the communication device is locked. Park does not disclose in any why of outputting a notice indicating that the communication device is locked. Besides Park does not disclose in the first place to output the result/outcome of the remote instruction.

Therefore, sub-claim 81 is patentable over Park.

Sub-claim 82, which is further limited by this amendment, includes two limitations in addition to main claim 48.

The first limitation is that the communication device which the user instruction indicates to power off is a "mobile phone" as amended by this amendment. Park discloses that an automobile engine can be remotely disabled (Park col 3 line 42), however is silent as to powering off a mobile phone in a remote fashion. Here, a mobile phone pertains to a technical field different from automobile, therefore this limitation is patentable over Park.

The second limitation is that the communication device controlled notice is output and this notice indicates that the communication device is powered off. Park does not disclose in any why of outputting a notice indicating that the communication device is powered off. Besides Park does not disclose in the first place to output the result/outcome of the remote instruction.

Therefore, sub-claim 82 is patentable over Park.

Conclusion

For all of the above reasons, applicant submits that the claims all define patentably over the cited prior art. Therefore, applicant submits that this application is now in condition for allowance, which action applicant respectfully solicits.

Conditional Request For Constructive Assistance

Applicant has amended the claims so that they are proper, definite, and define novel structure which is also unobvious. If, for any reason this application is not believed to be in full condition for allowance, applicant respectfully requests the constructive assistance and suggestions of the Examiner pursuant to M.P.E.P. § 2173.02 and § 707.07(j) in order that applicant can place this application in allowable condition as soon as possible and without the need for further proceedings.

Misc.

For the avoidance of doubt, each function and/or mode described in the claims presented in this amendment, if any, is capable to be implemented individually.

For the avoidance of doubt, the mode(s) and/or function(s) capable to be implemented by the communication device described in the claims presented in this amendment, if any, is/are not limited to the one(s) described in the claims, i.e., the communication device is capable to implement the mode(s) and/or function(s) other than the mode(s) and/or function(s) described in the claims.

For the avoidance of doubt, canceling the claims of this application or other applications filed by applicant or the same inventor does not indicate applicant's admission that the invention(s) described in the canceled claims is/are not patentable.

For the avoidance of doubt, abandoning this application or other applications filed by applicant or the same inventor does not indicate applicant's admission that the invention(s) described therein is/are not patentable.

Applicant has no intent to limit the scope of the claims presented in this amendment by the examples, if any, described in this amendment.

Applicant has no intent to limit the scope of the claims presented in this amendment by the previous amendment(s), if any, and/or the previous proposed amendment(s), if any, submitted by applicant or the same inventor.

Applicant has no intent to surrender any equivalent of any element included in the claims by any amendment(s), if any, and/or any proposed amendment(s), if any, whether previously or subsequently submitted to this amendment, unless expressly and unambiguously stated otherwise in the amendment(s).

Applicant has no intent to limit the scope of the claims or deny the patentability of this application by other applications filed by applicant or the same inventor.

Applicant has no intent to limit the scope of the claims or deny the patentability of other applications filed by applicant or the same inventor by this application.

For the avoidance of doubt, the number of the prior art disclosed in the IDS of this application may be of a large one, however, applicant has no intent to hide the more relevant prior art in the less relevant ones.

For the avoidance of doubt, the number of the prior art disclosed in the IDS of other applications filed by applicant or the same inventor may be of a large one, however, applicant or the same inventor has no intent to hide the more relevant prior art in the less relevant ones.

For the avoidance of doubt, filing a terminal disclaimer for this application or other applications filed by applicant or the same inventor, if any, is not an admission that this application or other applications filed by applicant or the same inventor and the prior patent described in the terminal disclaimer are directed to substantially the same invention.

For the avoidance of doubt, any description in this application or other applications filed by applicant or the same inventor indicating that the invention provides a device capable

to implement a plurality of functions where each of the plurality of functions was implemented by an individual device in the prior art merely expresses the multiple functionality of the communication device, and should not be treated as an admission of negating the patentability of the inventions described in this application or other applications filed by applicant or the same inventor, whether this description was/is/will be made in the past, present, or even in the future.

For the avoidance of doubt, the abstract of this application is illustrated in the manner for the readers to conveniently understand the image of the present invention and thereby only a portion of the subject matter of the present invention is described therein. Therefore, the scope of each claim should not be limited by the description of the abstract.

No new matter is added by this amendment.